

JS 44C/SDNY  
REV. 07/08/16**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**  
Monica and Daniel O'Connor**DEFENDANTS**  
New York Collateral Recovery Corporation and  
New York Municipal Credit UnionATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Kakalec & Schlanger, LLP  
85 Broad St., 18th Floor, New York, NY 10004  
(212) 500-6114

## ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Fair Debt Collection Practices Act, 15 U.S.C. Sec. 1692, et al.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously AssignedIf yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_IS THIS AN INTERNATIONAL ARBITRATION CASE?  No  Yes 

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

		TORTS	ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>		<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS	
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	[ ] 376 QUI TAM		
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 400 STATE		
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[ ] 690 OTHER	REAPPORTIONMENT		
[ ] 150 INSTRUMENT	SLANDER	[ ] 368 ASBESTOS PERSONAL		[ ] 410 ANTITRUST		
[ ] 150 RECOVERY OF	FEDERAL	INJURY PRODUCT		[ ] 430 BANKS & BANKING		
OVERPAYMENT &	EMPLOYERS' LIABILITY	LIABILITY		[ ] 450 COMMERCE		
ENFORCEMENT				[ ] 460 DEPORTATION		
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>		[ ] 470 RACKETEER INFLUENCED & CORRUPT		
MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD		ORGANIZATION ACT (RICO)		
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING		[ ] 480 CONSUMER CREDIT		
DEFAULTED	[ ] 350 MOTOR VEHICLE			[ ] 490 CABLE/SATELLITE TV		
STUDENT LOANS	[ ] 355 MOTOR VEHICLE					
(EXCL VETERANS)	PRODUCT LIABILITY					
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL					
OVERPAYMENT	INJURY	[ ] 380 OTHER PERSONAL	<b>LABOR</b>	[ ] 850 SECURITIES/		
OF VETERAN'S	[ ] 362 PERSONAL INJURY -	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	COMMODITIES/		
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	STANDARDS ACT	EXCHANGE		
[ ] 160 STOCKHOLDERS			[ ] 720 LABOR/MGMT			
SUITS			RELATIONS			
[ ] 190 OTHER		<b>PRISONER PETITIONS</b>	[ ] 740 RAILWAY LABOR ACT	[ ] 890 OTHER STATUTORY		
CONTRACT		[ ] 463 ALIEN DETAINEE		ACTIONS		
[ ] 195 CONTRACT		[ ] 510 MOTIONS TO	[ ] 751 FAMILY MEDICAL	[ ] 891 AGRICULTURAL ACTS		
PRODUCT		VACATE SENTENCE	LEAVE ACT (FMLA)			
LIABILITY		28 USC 2255				
[ ] 196 FRANCHISE	<b>ACTIONS UNDER STATUTES</b>					
	<b>CIVIL RIGHTS</b>	[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or		
		[ ] 535 DEATH PENALTY	LITIGATION	Defendant)		
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC	[ ] 1871 IRS-THIRD PARTY		
			SECURITY ACT (ERISA)	26 USC 7609		
<b>REAL PROPERTY</b>	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)					
			<b>IMMIGRATION</b>			
[ ] 210 LAND	[ ] 441 VOTING		[ ] 462 NATURALIZATION	[ ] 896 ARBITRATION		
CONDEMNATION	[ ] 442 EMPLOYMENT	<b>PRISONER CIVIL RIGHTS</b>	APPLICATION	[ ] 899 ADMINISTRATIVE		
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/	[ ] 550 CIVIL RIGHTS	[ ] 465 OTHER IMMIGRATION	PROCEDURE ACT/REVIEW OR		
RENT LEASE &	ACCOMMODATIONS	[ ] 555 PRISON CONDITION	ACTIONS	APPEAL OF AGENCY DECISION		
EJECTMENT	[ ] 445 AMERICANS WITH	[ ] 560 CIVIL DETAINEE		[ ] 950 CONSTITUTIONALITY OF		
[ ] 240 TORTS TO LAND	DISABILITIES -	CONDITIONS OF CONFINEMENT		STATE STATUTES		
[ ] 245 TORT PRODUCT	EMPLOYMENT					
LIABILITY	[ ] 446 AMERICANS WITH					
[ ] 290 ALL OTHER	DISABILITIES - OTHER					
REAL PROPERTY	[ ] 448 EDUCATION					

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

8 Multidistrict Litigation (Direct File)

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1 DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5 DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Monica and Daniel O'Connor  
210 Lakeside Dr.  
South Salem, NY 10590-2404

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

NEW YORK COLLATERAL RECOVERY CORPORATION  
c/o NORBERTO RIVERA  
847 EAST 232 STREET  
SUITE B  
BRONX, NEW YORK, 10466

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.  
DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 4/20/2017

DANIEL A. SCHLANGER  
SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

YES (DATE ADMITTED Mo. April Yr. 2008)  
Attorney Bar Code # 4431920

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)